

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Terrence Bowie Robinson,)	C/A No. 2:10-2236-JFA-BHH
)	
Plaintiff,)	
v.)	ORDER
)	
John Doe; Richard Roe,)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff brings this action pursuant to 42 U.S.C. § 1983 alleging that while he was a pretrial detainee at the Charleston County Detention Center, he was kept incarcerated for three days more than necessary.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation and opines that this matter should be dismissed for lack of prosecution under Rule 41(b) of the Federal Rules of Civil Procedure. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The Magistrate Judge issued an order on October 31, 2011, allowing the plaintiff to notify the court of his intent to proceed with this action. The order was returned by the U.S. Postmaster and it appears that the plaintiff is no longer incarcerated.

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

The plaintiff was mailed a copy of the Report and Recommendation, which was filed on November 28, 2011, and advised of his right to file objections to the Report. The plaintiff, however, did not file objections to the Report. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Moreover, the envelope containing the copy of the Report was returned by the U.S. Postmaster marked “Returned to Sender: Unable to Identify, Forwarding Order Expired.”

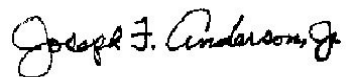
The plaintiff has been advised by order of the court that he must keep the court advised at all times of his current address. The plaintiff has failed to do so, and the court has no way to communicate with the plaintiff.

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge’s recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The Report is incorporated herein by reference.

Accordingly, this action is dismissed with prejudice for failure to prosecute.

IT IS SO ORDERED.

December 14, 2011
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge